



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Permit No. VA0004031
Effective Date: November 14, 2005
Expiration Date: November 13, 2010

AUTHORIZATION TO DISCHARGE UNDER THE
VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM
AND

THE VIRGINIA STATE WATER CONTROL LAW

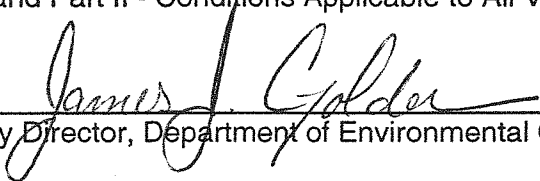
In compliance with the provisions of the Clean Water Act as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, the following owner is authorized to discharge in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in this permit.

OWNER: Tyson Foods, Inc.
FACILITY NAME: Tyson Foods, Inc.
CITY/COUNTY: Glen Allen / Hanover
FACILITY LOCATION: 13264 Mountain Road

The owner is authorized to discharge to the following receiving stream:

STREAM: Chickahominy River / UT
RIVER BASIN: James River (Lower)
RIVER SUBBASIN: NA
SECTION: 4
CLASS: III
SPECIAL STANDARDS: m

The authorized discharge shall be in accordance with this cover page, Part I - Limitations and Monitoring Requirements, and Part II - Conditions Applicable to All VPDES Permits, as set forth herein.


Deputy Director, Department of Environmental Quality

11-14-05
Date

A. LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date the permittee is authorized to discharge from outfall 001 (discharge from activated sludge plant).

- a. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS						MONITORING REQUIREMENTS		
	MONTHLY AVERAGE		WEEKLY AVERAGE	DAILY MINIMUM	DAILY MAXIMUM		FREQUENCY	SAMPLE TYPE	
	mg/L*	kg/d*	NL	NA	NA	mg/L*	kg/d*	Continuous	TIRE
001 Flow (MGD)									
002 pH (standard units)									
003 BOD5									
004 Total Suspended Solids									
005 Total Residual Chlorine (ug/l) ⁽²⁾									
006 Fecal Coliform (#/100 ml) ⁽¹⁾									
007 Dissolved Oxygen									
012 Total Phosphorus									
013 Total Nitrogen ⁽⁵⁾									
039 Ammonia Nitrogen									
068 Total Kjeldahl Nitrogen (as N) ^{(4), (6)}									

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS						MONITORING REQUIREMENTS	
	MONTHLY AVERAGE		WEEKLY AVERAGE	DAILY MINIMUM	DAILY MAXIMUM		FREQUENCY	SAMPLE TYPE
					mg/L*	kg/d*		
	mg/L*	kg/d*						
071 Settleable Solids (ml/l)	0.1	NA	NA	NA	NL	NA	1/Week	24HC
120 <u>E.coli</u> (#/100ml.) ⁽³⁾ , Geometric mean	126	NA	NA	NA	NL	NA	1/Week	Grab
196 Zinc, Total Recoverable (ug/l) ⁽³⁾	190	NA	NA	NA	190	NA	1/Month	Grab
389 Nitrate plus Nitrite (as N) ^{(4),(6)}	NL	NL	NA	NA	NA	NA	2/Month	24HC
791 Total Nitrogen (kg/month) ⁽⁴⁾	NA	NA	NA	NA	NA	NL	1/Month	Calculated
792 Total Nitrogen (kg/calendar year) ^{(4), (7)}	NA	NA	NA	NA	NA	NL	1/Month	Calculated
793 Total Phosphorus (kg/month) ⁽⁴⁾	NA	NA	NA	NA	NA	NL	1/Month	Calculated
794 Total Phosphorus (kg/calendar year) ^{(3), (4), (7)}	NA	NA	NA	NA	NA	185	1/Month	Calculated
795 Orthophosphate ^{(4), (6)}	NL	NL	NA	NA	NA	NA	2/Month	24HC
801 Oil & Grease (as HEM)	8.0	37.8	NA	NA	14.0	66.2	1/Week	Grab
805 Total Nitrogen (kg/calendar year-to-date) ⁽⁴⁾	NA	NA	NA	NA	NA	NL	1/Month	Calculated
806 Total Phosphorus (kg/calendar year-to-date) ⁽⁴⁾	NA	NA	NA	NA	NA	NL	1/Month	Calculated

The design flow of this treatment facility is 1.25 MGD. Totalizing, indicating, and recording equipment (TIRE) shall be used to monitor flows.

* = unless otherwise noted.

"NL" means No Limitation, monitoring only.

"NA" means Not Applicable.

"24HC" means 24 hour composite.

"8HC" means 8 hour composite.

"HEM" means n-hexane extractable material.

- (1) Fecal Coliform (#/100 ml) is expressed as the Geometric Mean. Maximum of 400 CFU/100ml at any time.
- (2) Total Residual Chlorine (TRC) is expressed as micrograms per liter (ug/l).
- (3) See Part I.D.14 for schedule of compliance for effluent limitations.
- (4) See Special Condition Part I.D.11 for nutrient reporting requirements.
- (5) Total Nitrogen, which is the sum of Total Kjeldahl Nitrogen and Nitrates plus Nitrites, shall be derived from the results of those tests.
- (6) 2/Month = two samples taken during the calendar month, no less than 7 days apart.
- (7) Effluent monitoring and reporting required upon effective date of permit.
- (8) No more than 5% of the individual samples collected during the reporting month shall exceed the daily maximum effluent limit.

b. There shall be no discharge of floating solids or visible foam in other than trace amounts.

c. Effluent samples shall be taken from Outfall 001

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

Industrial Minor 11/08/2005

PERMITTEE NAME/ADDRESS(INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)

NAME Tyson Foods Incorporated - Glen Allen
ADDRESS 13264 Mountain Rd
Glen Allen VA 23059
FACILITY 13264 Mountain Rd
LOCATION

DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)

Piedmont Regional Office
4949-A Cox Road

Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS
BEFORE COMPLETING THIS FORM.

VA0004031	001
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD			
YEAR	MO	DAY	TO

FROM

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
001 FLOW	REPORTD			*****	*****	*****				
	REQRMNT	NL	MGD	*****	*****	*****			CONT	REC
002 PH	REPORTD	*****			*****					
	REQRMNT	*****		6.0	*****	9.0	SU	0	1/DAY	GRAB
003 BOD5	REPORTD	*****		*****						
	REQRMNT	28.4	KG/D	*****	6.0	8.0	MG/L	0	1/W	24HC
004 TSS	REPORTD	*****		*****						
	REQRMNT	23.7	KG/D	*****	5.0	7.5	MG/L	0	1/W	24HC
005 CL2, TOTAL	REPORTD	*****		*****						
	REQRMNT	*****		*****	7.97	16.09	UG/L	0	1/DAY	GRAB
006 COLIFORM, FECAL	REPORTD	*****		*****						
	REQRMNT	*****		*****	NL	400	N/CML	0	1/M	GRAB
007 DO	REPORTD	*****		*****	*****	*****				
	REQRMNT	*****		5.0	*****	*****	MG/L	0	1/DAY	GRAB
012 PHOSPHORUS, TOTAL (AS P)	REPORTD			*****						
	REQRMNT	1.4	KG/D	*****	0.3	0.5	MG/L	0	1/W	24HC

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE		DATE				
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR			
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. & 1001 AND 33 U.S.C. & 1319. (Penalties under these statutes may include fines up to \$10,000 and/or maximum imprisonment of between 6 months and 5 years.)				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE				
				TYPED OR PRINTED NAME	SIGNATURE	YEAR	MO.			
				TYPED OR PRINTED NAME	SIGNATURE	YEAR	MO.			

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

Industrial Minor 11/08/2005

DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)

NAME Tyson Foods Incorporated - Glen Allen
ADDRESS 13264 Mountain Rd
Glen Allen VA 23059

VA0004031
PERMIT NUMBER
001
DISCHARGE NUMBER

Piedmont Regional Office
4949-A Cox Road

FACILITY LOCATION 13264 Mountain Rd

Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS
BEFORE COMPLETING THIS FORM.

MONITORING PERIOD			
YEAR	MO	DAY	TO

FROM

PARAMETER	QUANTITY OR LOADING		QUALITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS	
013 NITROGEN, TOTAL (AS N)	REPORTD			*****				
	REQRMNT	487	KG/D	*****	103	147	MG/L	0 2/M CALC
039 AMMONIA, AS N	REPORTD			*****				
	REQRMNT	9.5	KG/D	*****	2.0	8.0	MG/L	0 1/W 24HC
068 TKN (N-KJEL)	REPORTD			*****		*****		
	REQRMNT	NL	KG/D	*****	NL	*****	MG/L	2/M 24HC
071 SETTLEABLE SOLIDS	REPORTD	*****		*****				
	REQRMNT	*****		*****	0.1	NL	ML/L	0 1/W 24HC
120 E.COLI	REPORTD	*****		*****				
	REQRMNT	*****		*****	126	NL	N/CML	0 1/W GRAB
196 ZINC, TOTAL RECOVERABLE	REPORTD	*****		*****				
	REQRMNT	*****		*****	190	190	UG/L	0 1/M GRAB
389 NITRITE+NITRATE-N, TOTAL	REPORTD			*****		*****		
	REQRMNT	NL	KG/D	*****	NL	*****	MG/L	2/M 24HC
791 NITROGEN, TOTAL (AS N) (MONTHLY LOAD)	REPORTD	*****		*****		*****		
	REQRMNT	*****	NL	*****	*****	*****	KG/MO	1/M CALC

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

BYPASSES AND OVERFLOWS		TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BODS(K.G.)	OPERATOR IN RESPONSIBLE CHARGE		DATE	
					TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR MO. DAY
					PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			TELEPHONE
					TYPED OR PRINTED NAME	SIGNATURE	YEAR MO. DAY	

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. & 1001 AND 33 U.S.C. & 1319. (Penalties under these statutes may include fines up to \$10,000 and/or maximum imprisonment of between 6 months and 5 years.)

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

Industrial Minor 11/08/2005
DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)

Piedmont Regional Office
4949-A Cox Road

Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS
BEFORE COMPLETING THIS FORM.

PERMITTEE NAME/ADDRESS(INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)

NAME Tyson Foods Incorporated - Glen Allen
ADDRESS 13264 Mountain Rd
Glen Allen VA 23059
FACILITY 13264 Mountain Rd
LOCATION

VA0004031	001
PERMIT NUMBER	DISCHARGE NUMBER

MONITORING PERIOD			
YEAR	MO	DAY	TO

FROM

PARAMETER	QUANTITY OR LOADING		QUALITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	UNITS		
792 NITROGEN, TOTAL (AS N) (CALENDAR YEAR)	*****			*****	*****			
	*****	NL	KG/YR	*****	*****		1/M	CALC
793 PHOSPHORUS, TOTAL (AS P) (MONTHLY LOAD)	*****			*****	*****			
	*****	NL	KG/MO	*****	*****		1/M	CALC
794 PHOSPHORUS, TOTAL (AS P) (CALENDAR YEAR)	*****	185	KG/YR	*****	*****	0	1/M	CALC
795 ORTHOPHOSPHATE (AS P)	*****			*****	*****			
	NL		KG/D	*****	NL	0	2/M	24HC
801 OIL & GREASE (AS HEM)				*****				
	37.8	66.2	KG/D	*****	8.0	0	1/W	GRAB
805 NITROGEN, TOTAL (AS N) (YEAR-TO-DATE)	*****			*****	*****			
	*****	NL	KG/YR	*****	*****		1/M	CALC
806 PHOSPHORUS, TOTAL (AS P) (YEAR-TO-DATE)	*****			*****	*****			
	*****	NL	KG/YR	*****	*****		1/M	CALC

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE		DATE	
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. & 1001 AND 33 U.S.C. & 1319. (Penalties under these statutes may include fines up to \$10,000 and/or maximum imprisonment of between 6 months and 5 years.)		PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE			
				TYPED OR PRINTED NAME	SIGNATURE	YEAR	MO.

A. LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning with the permit's effective date and lasting until the permit's expiration date the permittee is authorized to discharge from outfall 002 (stormwater combined with wastewater plant discharge).

a. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	DAILY MINIMUM	DAILY MAXIMUM	FREQUENCY	SAMPLE TYPE
Flow (MG)	NA	NL	1/6 Months	Estimated*
pH (standard units)	NL	NL	1/6 Months	Grab**
BOD5 (mg/l)	NA	NL	1/6 Months	Grab**
Total Suspended Solids (mg/l)	NA	NL	1/6 Months	Grab**
Fecal Coliform (#/100 ml)	NA	NL	1/6 Months	Grab**
Total Phosphorus (mg/l)	NA	NL	1/6 Months	Grab**
Ammonia Nitrogen (mg/l)	NA	NL	1/6 Months	Grab**
Total Kjeldahl Nitrogen (mg/l)	NA	NL	1/6 Months	Grab**
Oil & Grease (mg/l)	NA	NL	1/6 Months	Grab**

Notes:

"NL" means No Limitation, monitoring only.
"NA" means Not Applicable.

b. There shall be no discharge of floating solids or visible foam in other than trace amount.

c. See monitoring requirements in Part I. B.1

d. Effluent samples shall be taken from Outfall 002

* Estimate of the total volume of the discharge during the storm event.
** The grab sample shall be taken within the first three hours of discharge.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

PERMITTEE NAME/ADDRESS(INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)
NAME Tyson Foods Incorporated - Glen Allen
ADDRESS 13264 Mountain Rd
Glen Allen VA 23059
FACILITY LOCATION 13264 Mountain Rd

Industrial Minor 11/08/2005
DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)
Piedmont Regional Office
4949-A Cox Road
Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS
BEFORE COMPLETING THIS FORM.

FROM

VA0004031	002				
PERMIT NUMBER	DISCHARGE NUMBER				
MONITORING PERIOD					
YEAR	MO	DAY	YEAR	MO	DAY

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM			
001 FLOW	REPORTD			*****	*****	*****			
	REQRMNT	NL	MG	*****	*****	*****		1/6M	EST
002 PH	REPORTD	*****			*****				
	REQRMNT	*****		NL	*****	NL		1/6M	GRAB
003 BOD5	REPORTD	*****		*****	*****				
	REQRMNT	*****		*****	*****	NL		1/6M	GRAB
004 TSS	REPORTD	*****		*****	*****				
	REQRMNT	*****		*****	*****	NL		1/6M	GRAB
005 COLIFORM, FECAL	REPORTD	*****		*****	*****				
	REQRMNT	*****		*****	*****	N/CML		1/6M	GRAB
012 PHOSPHORUS, TOTAL (AS P)	REPORTD	*****		*****	*****				
	REQRMNT	*****		*****	*****	MG/L		1/6M	GRAB
039 AMMONIA, AS N	REPORTD	*****		*****	*****				
	REQRMNT	*****		*****	*****	MG/L		1/6M	GRAB
068 TKN (N-KJEL)	REPORTD	*****		*****	*****				
	REQRMNT	*****		*****	*****	MG/L		1/6M	GRAB

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE		DATE						
				TYPED OR PRINTED NAME	SIGNATURE	CERTIFICATE NO.	YEAR	MO.	DAY			
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. & 1001 AND 33 U.S.C. & 1319. (Penalties under these statutes may include fines up to \$10,000 and/or maximum imprisonment of between 6 months and 5 years.)				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE							
				TYPED OR PRINTED NAME	SIGNATURE		YEAR	MO.	DAY			

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM(NPDES)
DISCHARGE MONITORING REPORT(DMR)

PERMITTEE NAME/ADDRESS(INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)

NAME Tyson Foods Incorporated - Glen Allen
ADDRESS 13264 Mountain Rd
Glen Allen VA 23059
FACILITY LOCATION 13264 Mountain Rd

Industrial Minor 11/08/2005

DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)

Piedmont Regional Office
4949-A Cox Road

Glen Allen VA 23060

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS
BEFORE COMPLETING THIS FORM.

VA0004031	002				
PERMIT NUMBER	DISCHARGE NUMBER				
MONITORING PERIOD					
YEAR	MO	DAY	YEAR	MO	DAY
			TO		

FROM

PARAMETER	QUANTITY OR LOADING		QUALITY OR CONCENTRATION				NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM			
500 OIL & GREASE	*****	*****		*****	*****				
	*****	*****		*****	*****	NL		1 / 6M	GRAB
REPORTD									
REQRMNT									
REPORTD									
REQRMNT								*****	
REPORTD									
REQRMNT								*****	
REPORTD									
REQRMNT								*****	
REPORTD									
REQRMNT								*****	
REPORTD									
REQRMNT								*****	
REPORTD									
REQRMNT								*****	
REPORTD									
REQRMNT								*****	
REPORTD									
REQRMNT								*****	
REPORTD									
REQRMNT								*****	
REPORTD									
REQRMNT								*****	

ADDITIONAL PERMIT REQUIREMENTS OR COMMENTS

BYPASSES AND OVERFLOWS	TOTAL OCCURRENCES	TOTAL FLOW(M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE		DATE				
				TYPED OR PRINTED NAME	SIGNATURE	YEAR	MO. DAY			
I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS TO THE BEST OF MY KNOWLEDGE AND BELIEF TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS. SEE 18 U.S.C. & 1001 AND 33 U.S.C. & 1319. (Penalties under these statutes may include fines up to \$10,000 and/or maximum imprisonment of between 6 months and 5 years.)				PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE					
				TYPED OR PRINTED NAME	SIGNATURE	YEAR <th>MO. DAY</th>	MO. DAY			

THIS REPORT IS REQUIRED BY LAW (33 U. S. C. § 1318 40 CFR 122.60). FAILURE TO REPORT OR FAILURE TO REPORT TRUTHFULLY CAN RESULT IN CIVIL PENALTIES NOT TO EXCEED \$10,000 PER DAY OF VIOLATION: OR IN CRIMINAL PENALTIES NOT TO EXCEED \$25,000 PER DAY OF VIOLATION OR BY IMPRISONMENT FOR NOT MORE THAN FIVE YEARS, OR BOTH.

GENERAL INSTRUCTIONS

1. Complete this form in permanent ink or indelible pencil.
2. Be sure to enter the dates for the first and last day of the period covered by the report on the form in the space marked "Monitoring Period".
3. For those parameters where the "permit requirement" spaces are blank or a limitation appears, provide data in the "reported" spaces in accordance with your permit.
4. Enter the average and, if appropriate, maximum quantities and units in the "reported" spaces in the columns marked "Quantity or Loading".
 $\text{KG/DAY} = \text{Concentration}(\text{mg/l}) \times \text{Flow}(\text{MGD}) \times 3.785$.
5. Enter maximum, minimum, and/or average concentrations and units in the "reported" spaces in the columns marked "Quality or Concentration".
6. Enter the number of samples which do not comply with the maximum and /or minimum permit requirements in the "reported" space in the column marked "No. Ex".
7. Enter the actual frequency of analysis for each parameter (number of times per day, week, month) in the "reported" space in the column marked "Frequency of Analysis".
8. Enter the actual type of sample collected for each parameter in the "reported" space in the column marked "Sample Type".
9. Enter additional required data or comments in the space marked "additional permit requirements or comments".
10. Record the number of bypasses during the month, the total flow in million gallons and BOD5 in kilograms in the proper columns in the section marked "Bypasses and Overflows".
11. The operator in responsible charge of the facility should review the form and sign in the space provided. If the plant is required to have a licensed operator, the operator's certificate number should be reported in the space provided.
12. The principal executive officer should then review the form and sign in the space provided and provide a telephone number where he/she can be reached.
13. You are required to sample at the frequency and type indicated in your permit.
14. Send the completed form to your Dept. of Environmental Quality Regional Office by the 10th of each month.
15. You are required to retain a copy of the report for your records.
16. Where violations of permit requirements are reported, attach a brief explanation in accordance with the permit requirements describing causes and corrective actions taken. Reference each violation by date.
17. If you have any questions, contact the Dept. of Environmental Quality Regional Office.

B. GENERAL STORM WATER MANAGEMENT

1. Sample Type

For all storm water monitoring required in Part I.A or other applicable sections of this permit, a minimum of one grab sample shall be taken. Unless otherwise specified, all such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inch in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the permittee shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. If storm water discharges associated with industrial activity commingle with process or non-process water, then where practicable permittees must attempt to sample the storm water discharge before it mixes with the non-storm water discharge.

2. Recording of Results

For each measurement or sample taken pursuant to the storm event monitoring requirements of this permit, the permittee shall record and report with the Discharge Monitoring Reports (DMRs) the following information:

- a. The date and duration (in hours) of the storm event(s) sampled;
- b. The rainfall measurements or estimates (in inches) of the storm event which generated the sampled discharge; and
- c. The duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event.

In addition, the permittee shall maintain a monthly log documenting the amount of rainfall received at this facility on a daily basis. A summarization of this information shall also be submitted with the DMRs.

3. Sampling Waiver

When a permittee is unable to collect storm water samples required in Part I.A or other applicable sections of this permit within a specified sampling period due to adverse climatic conditions, the permittee shall collect a substitute sample from a separate qualifying event in the next period and submit these data along with the data for the routine sample in that period. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

4. Representative Discharges

When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes substantially identical effluents are discharged, the permittee may test the effluent of one of such outfalls and report that the quantitative data also apply to the substantially identical outfall(s) provided that: (1) the

representative outfall determination has been approved by DEQ prior to data submittal; and, (2) the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents.

5. Quarterly Visual Examination of Storm Water Quality

The permittee shall perform and document a visual examination of a storm water discharge associated with industrial activity from outfalls 002 except discharges exempted below. The examination(s) must be made at least once in each of the following three-month periods: January through March, April through June, July through September, and October through December.

- a. Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examination shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well-lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previous measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.
- b. Visual examination reports must be maintained onsite with the pollution prevention plan. The report shall include the outfall location, the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.
- c. If the facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may collect a sample of effluent of one of such outfalls and report that the examination data also apply to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area (i.e., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)) shall be provided in the plan.
- d. When the permittee is unable to conduct the visual examination due to adverse climatic conditions, the permittee must document the reason for not performing the visual examination and retain this documentation onsite with the records of the visual examinations. Adverse weather conditions that may prohibit the collection of samples

include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

6. Allowable Nonstorm Water Discharges

- a. The following nonstorm water discharges are authorized by this permit provided the nonstorm water component of the discharge is in compliance with Part I.B.6.b, below.
 - (1) Discharges from fire fighting activities;
 - (2) Fire hydrant flushings;
 - (3) Potable water including water line flushings;
 - (4) Uncontaminated air conditioning or compressor condensate;
 - (5) Irrigation drainage;
 - (6) Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with manufacturer's instructions;
 - (7) Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);
 - (8) Routine external building wash down which does not use detergents;
 - (9) Uncontaminated ground water or spring water;
 - (10) Foundation or footing drains where flows are not contaminated with process materials such as solvents;
 - (11) Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).
- b. Except for flows from fire fighting activities, the Storm Water Pollution Prevention Plan must include:
 - (1) Identification of each allowable non-storm water source;
 - (2) The location where it is likely to be discharged; and
 - (3) Descriptions of appropriate BMPs for each source.
- c. If mist blown from cooling towers is included as one of the allowable non-storm water discharges, the facility must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower. The permittee must determine that the levels of such chemicals in the discharges will not cause or contribute to a violation of an applicable water quality standard after implementation of the BMPs selected to control such discharges.

7. Releases of Hazardous Substances or Oil in Excess of Reportable Quantities

The discharge of hazardous substances or oil in the storm water discharge(s) from this facility shall be prevented or minimized in accordance with the applicable storm water pollution prevention plan for the facility. This permit does not authorize the discharge of hazardous substances or oil resulting from an onsite spill. Where a release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR 110 (1998), 40 CFR 117 (1998) or 40 CFR 302 (1998) occurs during a 24 hour period, the permittee is required to notify the Department in accordance with the requirements of Part II G as soon as he or she has knowledge of the discharge. In addition, the storm water pollution prevention plan required by this permit must be reviewed to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate. This permit does not relieve the permittee of the reporting requirements of 40 CFR 110 (1998), 40 CFR 117 (1998) and 40 CFR 302 (1998) or § 62.1-44.34:19 of the Code of Virginia.

C. STORM WATER POLLUTION PREVENTION PLAN

Refer to Part I.C.6. for Sector-Specific Stormwater Management Requirements.

A storm water pollution prevention plan was required to be developed and implemented for the facility by the previous permit. The existing storm water pollution prevention plan shall be reviewed and modified, as appropriate, to conform to the requirements of this section. The plan shall identify potential sources of pollution that may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the plan shall describe and ensure the implementation of practices that are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Permittees must implement the provisions of the storm water pollution prevention plan as a condition of this permit.

The storm water pollution prevention plan requirements of this permit may be fulfilled by incorporating by reference other plans or documents such as an erosion and sediment control plan, a spill prevention control and countermeasure (SPCC) plan developed for the facility under Section 311 of the Clean Water Act or best management practices (BMP) programs otherwise required for the facility provided that the incorporated plan meets or exceeds the plan requirements of Part I.C.4. If an erosion and sediment control plan is being incorporated by reference, it shall have been approved by the locality in which the activity is to occur or by another appropriate plan approving authority authorized under the Virginia Erosion and Sediment Control Regulation 4 VAC 50-30-10 et seq. All plans incorporated by reference into the storm water pollution prevention plan become enforceable under this permit.

1. Deadlines for Plan Preparation and Compliance

- a. The facility shall update and implement the plan as expeditiously as practicable, but not later than 270 days from the effective date of the permit. Verification of compliance with the above deadline shall be provided, in writing, within 10 days of either the deadline or the actual completion date, if completed earlier.
- b. Measures That Require Construction. In cases where construction is necessary to implement measures required by the plan, the plan shall contain a schedule that provides compliance with the plan as expeditiously as practicable, but no later than 3 years after the effective date of this permit. Where a construction compliance schedule is included in the plan, the schedule shall include appropriate nonstructural and/or temporary controls to be implemented in the affected portion(s) of the facility prior to completion of the permanent control measure.

2. Signature and Plan Review

- a. Signature/Location. The plan shall be signed in accordance with Part II.K., and be retained onsite at the facility that generates the storm water discharge in accordance with Part II.B.2.
- b. Availability. The permittee shall make the storm water pollution prevention plan, annual site compliance inspection report, or other information available to the Department upon request.
- c. Required Modifications. The Director, or authorized representative, may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this permit. Such notification shall identify those provisions of the

permit that are not being met by the plan, and identify which provisions of the plan require modifications in order to meet the minimum requirements of this permit. Within 60 days of such notification from the Director, (or as otherwise provided by the Director), or authorized representative, the permittee shall make the required changes to the plan and shall submit to the Director a written certification that the requested changes have been made.

3. **Keeping Plans Current**

The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance, that has a significant effect on the potential for the discharge of pollutants to surface waters or if the storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under Part I.C.4 of this permit, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. New owners shall review the existing plan and make appropriate changes. Amendments to the plan may be reviewed by the Department in the same manner as Part I.C.2.

4. **Contents of the Plan**

The contents of the pollution prevention plan shall comply with the requirements listed below and in Part I.C.6. The plan shall include, at a minimum, the following items.

- a. **Pollution Prevention Team.** The plan shall identify a specific individual or individuals within the facility organization as members of a storm water Pollution Prevention Team that are responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.
- b. **Description of Potential Pollutant Sources.** The plan shall provide a description of potential sources that may reasonably be expected to add significant amounts of pollutants to storm water discharges or that may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. The plan shall identify all activities and significant materials that may potentially be significant pollutant sources. The plan shall include, at a minimum:
 - (1) **Drainage.** A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part I.C.4.b(3) have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes and wastewaters, locations used for the treatment, filtration, or storage of water supplies, liquid storage tanks, processing areas, and storage areas. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls; and for each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants that are likely to be present in storm water discharges associated with industrial activity. Factors to consider include the toxicity of chemicals; quantity of chemicals used, produced or

discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified;

- (2) Inventory of Exposed Materials. An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of submission of the application for this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of the application for this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives;
 - (3) Spills and Leaks. A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility within the 3 year period immediately prior to the date of submission of the application for this permit. Such list shall be updated as appropriate during the term of the permit;
 - (4) Sampling Data. A summary of existing discharge sampling data describing pollutants in storm water discharges from the facility, including a summary of sampling data collected during the term of this permit; and
 - (5) Risk Identification and Summary of Potential Pollutant Sources. A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and onsite waste disposal practices, and wastewater treatment activities to include sludge drying, storage, application or disposal activities. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g., biochemical oxygen demand, total suspended solids, etc.) of concern shall be identified.
- c. Measures and Controls. The permittee shall develop a description of storm water management controls appropriate for the facility and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls.
- (1) Good Housekeeping. Good housekeeping requires the clean and orderly maintenance of areas that may contribute pollutants to storm water discharges. The plan shall describe procedures performed to minimize contact of materials with storm water runoff. Particular attention should be paid to areas where raw materials are stockpiled, material handling areas, storage areas, liquid storage tanks, material handling areas, and loading/unloading areas.
 - (2) Preventive Maintenance. A preventive maintenance program shall involve: timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, catch basins); inspection and testing of facility equipment and systems to uncover conditions that could cause breakdowns or failures which could

result in discharges of pollutants to surface waters; and appropriate maintenance of such equipment and systems.

- (3) Spill Prevention and Response Procedures. Areas where potential spills can occur that can contribute pollutants to storm water discharges, and their accompanying drainage points, shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.
- (4) Inspections. Facility personnel who are familiar with the industrial activity, the BMPs and the storm water pollution prevention plan shall be identified to inspect designated equipment and areas of the facility. The inspection frequency shall be specified in the plan based upon a consideration of the level of industrial activity at the facility, but shall be a minimum of quarterly unless more frequent intervals are specified elsewhere in the permit. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained with the pollution prevention plan.
- (5) Employee Training. Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify periodic dates for such training.
- (6) Recordkeeping and Internal Reporting Procedures. A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.
- (7) Sediment and Erosion Control. The plan shall identify areas that, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion.
- (8) Management of Runoff. The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those that control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide for the implementation and maintenance of measures that the permittee determines to be reasonable and appropriate. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices; reuse of collected storm water (such as for a process or as an irrigation source); inlet controls (such as oil/water separators); snow management activities; infiltration devices, wet detention/retention devices; or other equivalent measures.

- d. Comprehensive Site Compliance Evaluation. Qualified facility personnel who are familiar with the industrial activity, the BMPs and the storm water pollution prevention plan shall conduct site compliance evaluations at appropriate intervals specified in the plan, but in no case less than once a year. Such evaluations shall include the following:
- (1) Areas contributing to a storm water discharge associated with industrial activity such as material storage, handling, and disposal activities shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made;
 - (2) Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with Part I.C.4.b and pollution prevention measures and controls identified in the plan in accordance with Part I.C.4.c shall be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 12 weeks after the evaluation;
 - (3) A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with Part I.C.4.d(2) shall be made and retained as part of the storm water pollution prevention plan for at least 3 years from the date of the evaluation. The report shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part II.K; and
 - (4) Where compliance evaluation schedules overlap with inspections required under Part I.C.4.c(4) the compliance evaluation may be conducted in place of one such inspection.
5. Special Pollution Prevention Plan Requirements
In addition to the minimum standards listed in Part I.C.4 and Part I.C.6, the storm water pollution prevention plan shall include a complete discussion of measures taken to conform with the following applicable guidelines.
- a. Additional Requirements for Storm Water Discharges Associated With Industrial Activity From Facilities Subject to EPCRA Section 313 Requirements. In addition to the other applicable conditions of this permit, storm water pollution prevention plans for facilities subject to reporting requirements under EPCRA Section 313, prior to May 1, 1997, for chemicals that are classified as Section 313 water priority chemicals, except as provided in Part I.C.5.a(2)(b) and where there is the potential for these chemicals to mix with storm water discharges, shall describe and ensure the implementation of practices that are necessary to provide for conformance with the following guidelines.

- (1) In areas where Section 313 water priority chemicals are stored, processed or otherwise handled, appropriate containment, drainage control and/or diversionary structures shall be provided unless otherwise exempted under Part I.C.5.a(3). At a minimum, one of the following preventive systems or its equivalent shall be used:
 - (a) Curbing, culverting, gutters, sewers, or other forms of drainage control to prevent or minimize the potential for storm water runoff to come into contact with significant sources of pollutants; or
 - (b) Roofs, covers or other forms of appropriate protection to prevent storage piles from exposure to storm water and wind.
- (2) In addition to the minimum standards listed under Part I.C.5.a(1), and except as otherwise exempted under Part I.C.5.a(3), the storm water pollution prevention plan shall include a complete discussion of measures taken to conform with other effective storm water pollution prevention procedures, and applicable state rules, regulations, and guidelines.
 - (a) Liquid Storage Areas Where Storm Water Comes Into Contact With Any Equipment, Tank, Container, or Other Vessel Used for Section 313 Water Priority Chemicals.
 - i. No tank or container shall be used for the storage of a Section 313 water priority chemical unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature, etc.
 - ii. Liquid storage areas for Section 313 water priority chemicals shall be operated to minimize discharges of Section 313 chemicals. Appropriate measures to minimize discharges of Section 313 chemicals may include secondary containment provided for at least the entire contents of the largest single tank plus sufficient freeboard to allow for precipitation, a strong spill contingency and integrity testing plan, and/or other equivalent measures.
 - (b) Material Storage Areas for Section 313 Water Priority Chemicals Other Than Liquids. Material storage areas for Section 313 water priority chemicals other than liquids that are subject to runoff, leaching, or wind shall incorporate drainage or other control features that will minimize the discharge of Section 313 water priority chemicals by reducing storm water contact with those chemicals.
 - (c) Truck and Rail Car Loading and Unloading Areas for Liquid Section 313 Water Priority Chemicals. Truck and rail car loading and unloading areas for liquid Section 313 water priority chemicals shall be operated to minimize discharges of those chemicals. Protection such as overhangs or door skirts to enclose trailer ends at truck loading/unloading docks shall be provided as appropriate. Appropriate measures to minimize discharges of Section 313 chemicals may include: the placement and maintenance of drip pans (including the proper disposal of materials collected in the drip pans) where spillage may occur (such as hose connections, hose reels and filler nozzles) for use when making and breaking hose connections; a strong spill contingency and integrity testing plan; and/or other equivalent measures.

- (d) Areas Where Section 313 Water Priority Chemicals Are Transferred, Processed, or Otherwise Handled. Processing equipment and materials handling equipment shall be operated so as to minimize discharges of Section 313 water priority chemicals. Materials used in piping and equipment shall be compatible with the substances handled. Drainage from process and materials handling areas shall minimize storm water contact with Section 313 water priority chemicals. Additional protection such as covers or guards to prevent exposure to wind, spraying or releases from pressure relief vents from causing a discharge of Section 313 water priority chemicals to the drainage system shall be provided as appropriate. Visual inspections or leak tests shall be provided for overhead piping conveying Section 313 water priority chemicals without secondary containment.
- (e) Discharges From Areas Covered by Paragraphs (a), (b), (c), or (d) of Part I.C.5.a(2).
- i. Drainage from areas covered by paragraphs (a), (b), (c), or (d) of Part I.C.5.a(2) should be restrained by valves or other positive means to prevent the discharge of a spill or other excessive leakage of Section 313 water priority chemicals. Where containment units are employed, such units may be emptied by pumps or ejectors; however, these shall be manually activated.
 - ii. Flapper-type drain valves shall not be used to drain containment areas. Valves used for the drainage of containment areas should, as far as is practical, be of manual, open-and-closed design.
 - iii. If facility drainage is not engineered as above, the final discharge of all in-facility storm sewers shall be equipped to be equivalent with a diversion system that could, in the event of an uncontrolled spill of Section 313 water priority chemicals, return the spilled material to the facility.
 - iv. Records shall be kept of the frequency and estimated volume (in gallons) of discharges from containment areas.
- (f) Facility Site Runoff Other Than From Areas Covered By paragraphs (a), (b), (c), or (d) of Part I.C.5.a(2). Other areas of the facility (those not addressed in paragraphs (a), (b), (c), or (d) of Part I.C.5.a(2), from which runoff that may contain Section 313 water priority chemicals or spills of Section 313 water priority chemicals could cause a discharge shall incorporate the necessary drainage or other control features to prevent discharge of spilled or improperly disposed material and ensure the mitigation of pollutants in runoff or leachate.
- (g) Preventive Maintenance and Housekeeping. All areas of the facility shall be inspected at specific intervals identified in the plan for leaks or conditions that could lead to discharges of Section 313 water priority chemicals or direct contact of storm water with raw materials, intermediate materials, waste materials or products. In particular, facility piping, pumps, storage tanks and bins, pressure vessels, process and material handling equipment, and material bulk storage areas shall be examined for any conditions or failures that could cause a discharge. Inspection shall include examination for leaks, wind blowing, corrosion, support or foundation failure, or other forms of deterioration or noncontainment. Inspection intervals shall be specified in the plan and shall

be based on design and operational experience. Different areas may require different inspection intervals. Where a leak or other condition is discovered that may result in significant releases of Section 313 water priority chemicals to waters of the United States, action to stop the leak or otherwise prevent the significant release of Section 313 water priority chemicals to waters of the United States shall be immediately taken or the unit or process shut down until such action can be taken. When a leak or noncontainment of a Section 313 water priority chemical has occurred, contaminated soil, debris, or other material must be promptly removed and disposed in accordance with Federal, State, and local requirements and as described in the plan.

- (h) **Facility Security.** Facilities shall have the necessary security systems to prevent accidental or intentional entry that could cause a discharge. Security systems described in the plan shall address fencing, lighting, vehicular traffic control, and securing of equipment and buildings.
 - (i) **Training.** Facility employees and contractor personnel that work in areas where Section 313 water priority chemicals are used or stored shall be trained in and informed of preventive measures at the facility. Employee training shall be conducted at intervals specified in the plan, but not less than once per year. Training shall address pollution control laws and regulations, the storm water pollution prevention plan and the particular features of the facility and its operation that are designed to minimize discharges of Section 313 water priority chemicals. The plan shall designate a person who is accountable for spill prevention at the facility and who will set up the necessary spill emergency procedures and reporting requirements so that spills and emergency releases of Section 313 water priority chemicals can be isolated and contained before a discharge of those chemicals can occur. Contractor or temporary personnel shall be informed of facility operation and design features in order to prevent discharges or spills from occurring.
- (3) Facilities subject to reporting requirements under EPCRA Section 313 for chemicals that are classified as Section 313 water priority chemicals that are handled and stored onsite only in gaseous or nonsoluble liquid or solid (at atmospheric pressure and temperature) forms may provide a certification as such in the pollution prevention plan in lieu of the additional requirements in Part I.C.5.a. Such certification shall include a narrative description of all water priority chemicals and the form in which they are handled and stored, and shall be signed in accordance with Part II.K.
- (4) The storm water pollution prevention plan shall be certified in accordance with Part II.K.
- b. **Additional Requirements for Salt Storage.** Storage piles of salt used for deicing or other commercial or industrial purposes and that generate a storm water discharge associated with industrial activity that is discharged to surface waters shall be enclosed or covered to prevent exposure to precipitation, except for exposure resulting from adding or removing materials from the pile. Permittees shall demonstrate compliance with this provision as expeditiously as practicable, but in no event later than 3 years after the effective date of this permit. Permittees with previous coverage under a VPDES permit that included this requirement shall be compliant with this provision upon submittal of the permit application. Piles do not need to be enclosed or covered where storm water from the pile is not discharged to surface waters.

6. SECTOR-SPECIFIC STORM WATER POLLUTION PREVENTION PLAN
REQUIREMENTS:

In addition to the requirements of Part I.C.1. through I.C.5., the plan shall include, at a minimum, the following items.

a. Description of Potential Pollutant Sources.

- (1) Drainage. A site map indicating the locations of vents and stacks from cooking, drying, and similar operations, dry product vacuum transfer lines; animal holding pens; and spoiled product and broken product container storage areas.
- (2) Summary of Potential Pollutant Sources. In addition to food and kindred products processing-related industrial activities, the plan must also describe application/storage of pest control chemicals (e.g., rodenticides, insecticides, fungicides, and others) used on plant grounds, including a description of pest control application and chemical storage practices.

b. Measures and Controls.

- (1) Inspections. At a minimum, the following areas, where the potential for exposure to storm water exists, must be inspected: loading and unloading areas for all significant materials; storage areas, including associated containment areas; waste management units; vents and stacks emanating from industrial activities; spoiled product and broken product container holding areas; animal holding pens; staging areas; and air pollution control equipment.

D. OTHER REQUIREMENTS OR SPECIAL CONDITIONS

1. Operation and Maintenance Manual Requirement

The permittee shall review the existing Operations and Maintenance (O&M) Manual and notify the DEQ-PRO in writing, within 90 days of the effective date of this permit, whether it is still accurate and complete. If the O&M Manual is no longer accurate and complete, a revised O&M Manual shall be submitted for approval to the DEQ-PRO within 90 days of the effective date of this permit. The permittee will maintain an accurate, approved O&M Manual for the treatment works. This manual shall detail the practices and procedures which will be followed to ensure compliance with the requirements of the permit. The permittee shall operate the treatment works in accordance with the approved O&M Manual. This manual shall include, but not necessarily be limited to, the following items, as appropriate:

- a. Techniques to be employed in the collection, preservation and analysis of effluent samples (and sludge samples if sludge analyses are required);
- b. Procedures for measuring and recording the duration and volume of treated wastewater discharged;
- c. Discussion of Best Management Practices, if applicable;
- d. Procedures for handling, storing, and disposing of all wastes, fluids, and pollutants characterized in Part I.D.3 below that will prevent these materials from reaching State waters;
- e. Treatment works design, treatment works operation, routine preventative maintenance of units within the treatment works, critical spare parts inventory, and record keeping; and
- f. A plan for the management and/or disposal of waste solids and residues.

Any changes in the practices and procedures followed by the permittee shall be documented and submitted for staff approval within 90 days of the effective date of the changes. Upon approval of the submitted manual changes, the revised manual becomes an enforceable part of the permit. Noncompliance with the O&M Manual shall be deemed a violation of the permit.

2. Materials Handling/Storage

Any and all product, materials, industrial wastes, and/or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation, and/or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of, and/or stored in such a manner so as not to permit a discharge of such product, materials, industrial wastes, and/or other wastes to State waters, except as expressly authorized.

3. Licensed Operator Requirement

The permittee shall employ or contract at least one Class II licensed wastewater works operator for this facility. The license shall be issued in accordance with Title 54.1 of the Code of Virginia and the regulations of the Board for Waterworks and Wastewater Works Operators. The permittee shall notify the DEQ in writing whenever he is not complying, or has grounds for anticipating he will not comply with this requirement. The notification shall include a statement of reasons and a prompt schedule for achieving compliance.

4. Nutrient Enriched Waters/Chesapeake Bay Nutrients Reopener

This permit may be modified or, alternatively, revoked and reissued to incorporate new or alternative nutrient limitations and/or monitoring requirements should the State Water Control Board adopt new nutrient standards for the waterbody receiving the discharge, including the Chesapeake Bay or its tributaries, or if a future water quality regulation or statute requires new or alternative nutrient control.

5. Water Quality Criteria Reopener

Should effluent monitoring indicate the need for any water quality-based limitations, this permit may be modified or alternatively revoked and reissued to incorporate appropriate limitations.

6. Notification Levels

The permittee shall notify the Department as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:

- (1) One hundred micrograms per liter;
- (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter for antimony;
- (3) Five times the maximum concentration value reported for that pollutant in the permit application; or
- (4) The level established by the Board.

b. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:

- (1) Five hundred micrograms per liter;
- (2) One milligram per liter for antimony;
- (3) Ten times the maximum concentration value reported for that pollutant in the permit application; or
- (4) The level established by the Board.

7. Compliance Reporting under Part I A

a. Maximum quantification levels (QL's) shall be as follows:

<u>Effluent Characteristic</u>	<u>Quantification Level</u>
BOD5	5 mg/l
TSS	1.0 mg/l
Chlorine (TRC)	0.10 mg/l
Ammonia-N	0.20 mg/l
TKN	0.50 mg/l
Nitrate-Nitrite	0.50 mg/l
Orthophosphate	0.10 mg/l
Total Phosphorus	0.10 mg/l
Zinc, Total Recoverable	0.029 mg/l

b. Reporting

Monthly Average -- Compliance with the monthly average limitations and/or reporting requirements for the parameters listed above shall be determined as follows: All concentration data below the test method QL shall be treated as zero. All concentration data equal to or above the QL shall be used to calculate the reported average. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as calculated. If all data are below the QL, then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

Daily Maximum -- Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in Part I A shall be determined as follows: All concentration data below the QL listed in a. above shall be treated as zero. All concentration data equal to or above the QL shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL, then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity. Otherwise use the calculated concentration.

- c. Any single datum required shall be reported as "<QL" if it is less than the QL in a. above. Otherwise the numerical value shall be reported.
- d. Monitoring results reported on the Discharge Monitoring Report (DMR) shall be reported to the accuracy of the test, which must be capable of at least the same number of significant digits as the permit limit for the given parameter. Rounding the results to the number of significant digits in the permit, where the test method is sensitive enough to report more, is not acceptable and shall not be allowed. If there is not a method allowed by the permit that is accurate enough to measure two significant digits below the value of 1.0, it shall be the permittee's responsibility to provide documentation for DEQ approval demonstrating that only one significant figure can accurately be reported.

8. Groundwater Monitoring

The permittee shall continue sampling and reporting in accordance with the approved ground water monitoring plan. The purpose of this plan is to determine if the system integrity is being maintained and to indicate if activities at the site are resulting in violations of the Board's Ground Water Standards. The approved plan is an enforceable part of the permit. Any changes to the plan must be submitted for approval to the Piedmont Regional Office.

If monitoring results indicate that any unit has contaminated the ground water, the permittee shall submit a corrective action plan within 60 days of being notified by the regional office. The plan shall set forth the steps to be taken by the permittee to ensure that the contamination source is eliminated or that the contaminant plume is contained on the permittee's property. In addition, based on the extent of contamination, a risk analysis may be required. Once approved, this plan and/or analysis shall be incorporated into the permit by reference and become an enforceable part of this permit.

9. Total Maximum Daily Load (TMDL) Reopener

This permit shall be modified or alternatively revoked and reissued if any approved wasteload allocation procedure, pursuant to Section 303(d) of the Clean Water Act, imposes wasteload allocations, limits or conditions on the facility that are not consistent with the permit requirements.

10. General Permit Controls

Upon the permittee obtaining coverage under a watershed general permit issued for the control of Total Nitrogen and Total Phosphorus loadings to the Chesapeake Bay or its tidal tributaries, the Total Nitrogen and Total Phosphorus annual load limitations and any associated monitoring requirements and schedule(s) of compliance contained herein shall be waived in lieu of those in the general permit, unless those limitations are necessary to protect local water quality.

11. Nutrient Reporting Calculations

For each calendar month, the DMR shall show the total monthly load (kg) and the cumulative load for the calendar year-to-date (kg) calculated in accordance with the following formulae:

$$ML = ML_{avg} * d$$

where:

ML = total monthly load in kg (Parameter Codes 791 and 793)

ML_{avg} = monthly average load as reported on DMR (kg/d)

d = number of discharge days in the calendar month

$$AL-YTD = \sum_{(Jan-current\ month)} ML$$

where:

AL-YTD =calendar year-to-date annual load in kg (Parameter Codes 805 and 806)

$$AL = \sum_{(Jan-Dec)} ML$$

where:

AL =calendar year annual load in kg/yr (Parameter Codes 792 and 794)

12. Basis of Design Report for Nutrient Removal

Within one year of the effective date of this permit, a Basis of Design Report addressing the construction and operation of a range of nutrient removal technologies, up to and including the limit of technology, shall be submitted to the Department of Environmental Quality. Additional information on the scope and contents of a Basis of Design Report is available from DEQ Staff. A more comprehensive Preliminary Engineering Report may be submitted to fulfill this requirement.

13. Interim Optimization Plan for Nutrient Removal

Within one year of the effective date of this permit, a report addressing operating alternatives and interim measures that may be taken to optimize nutrient removal with the existing facilities shall be submitted to the Department of Environmental Quality. The report shall describe alternatives considered and a plan to implement the selected interim measures.

14. Schedule of Compliance for *E.coli* and Zinc Limits

The permittee shall achieve compliance with the *E.coli* limitation and Zinc limitation in Part I.A. in accordance with the following schedule:

- | | |
|--|---|
| 1. Submit Progress Reports | Annually from the effective date of the permit |
| 2. Achieve Compliance with Final Effluent Limitation | Within 2 years after the effective date of the permit |

Schedule of Compliance for TP Nutrient Limits

The permittee shall achieve compliance with the 3/15/05 approved TMDL Total Phosphorus (kg/calendar year) limitation in Part I.A. in accordance with the following schedule:

- | | |
|--|---|
| 1. Submit Progress Reports | Annually from the effective date of the permit |
| 2. Achieve Compliance with Final Effluent Limitation | Within 4 years after the effective date of the permit |

No later than 14 calendar days following the final compliance date identified in the above schedule of compliance, the permittee shall submit to the DEQ Regional Office, either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial action taken, and the probability of meeting the next scheduled requirement.

E. WHOLE EFFLUENT TOXICITY (WET) TESTING

1. Biological Monitoring

In accordance with the schedule outlined in Part I.E.2., the permittee shall conduct quarterly chronic toxicity tests for the duration of the permit. The permittee shall collect 24-hour flow-proportioned composite samples of final effluent from outfall 001.

a. The chronic tests to use are:

Chronic 3-Brood Static Renewal Survival and Reproduction Test using *Ceriodaphnia dubia* (for quarters in odd numbered years)

Chronic 7-Day Static Renewal Survival and Growth Test using *Pimephales promelas* (for quarters in even numbered years)

These chronic tests shall be conducted in such a manner and at sufficient dilutions (minimum of five dilutions, derived geometrically) to determine the "No Observed Effect Concentration" (NOEC) for survival and reproduction or growth. Results that cannot be determined (i.e., a "less than" NOEC value) are not acceptable, and a retest will have to be performed within the compliance period for which the test was performed. Report the LC_{50} at 48 hours and the IC_{25} with the NOEC's in the test report.

b. The test dilutions should be able to determine compliance with the following endpoint:

Chronic NOEC of 69% equivalent to a TU_c of 1.44

The permittee may provide additional samples to address data variability. These data shall be reported and may be included in the evaluation of effluent toxicity. Test procedures and reporting shall be in accordance with the WET testing methods cited in 40CFR 136.3.

c. The permit may be modified or revoked and reissued to include pollutant specific limits should it be demonstrated that toxicity is due to specific parameters. The pollutant specific limits must control the toxicity of the effluent.

2. Reporting Schedule

The permittee shall supply two copies of the toxicity test reports specified in this Toxics Management Program with the DMR in accordance with the following schedule:

<i>Period</i>	<i>Compliance Periods</i>	<i>Required Test</i>	<i>DMR/Report Due Date</i>
1 st Quarter	Oct-Dec 2005	Chronic test with <i>C. dubia</i>	10 th of the month immediately following each compliance period.
2 nd Quarter	Jan-Mar 2006	Chronic test with <i>P. promelas</i>	
3 rd Quarter	Apr-Jun 2006	Chronic test with <i>P. promelas</i>	
4 th Quarter	Jul-Sep 2006	Chronic test with <i>P. promelas</i>	
5 th Quarter	Oct-Dec 2006	Chronic test with <i>P. promelas</i>	
6 th Quarter	Jan-Mar 2007	Chronic test with <i>C. dubia</i>	
7 th Quarter	Apr-Jun 2007	Chronic test with <i>C. dubia</i>	
8 th Quarter	Jul-Sep 2007	Chronic test with <i>C. dubia</i>	
9 th Quarter	Oct-Dec 2007	Chronic test with <i>C. dubia</i>	
10 th Quarter	Jan-Mar 2008	Chronic test with <i>P. promelas</i>	
11 th Quarter	Apr-Jun 2008	Chronic test with <i>P. promelas</i>	
12 th Quarter	Jul-Sep 2008	Chronic test with <i>P. promelas</i>	
13 th Quarter	Oct-Dec 2008	Chronic test with <i>P. promelas</i>	
14 th Quarter	Jan-Mar 2009	Chronic test with <i>C. dubia</i>	
15 th Quarter	Apr-Jun 2009	Chronic test with <i>C. dubia</i>	
16 th Quarter	Jul-Sep 2009	Chronic test with <i>C. dubia</i>	
17 th Quarter	Oct-Dec 2009	Chronic test with <i>C. dubia</i>	
18 th Quarter	Jan-Mar 2010	Chronic test with <i>P. promelas</i>	
19 th Quarter	Apr-Jun 2010	Chronic test with <i>P. promelas</i>	
20 th Quarter	Jul-Sep 2010	Chronic test with <i>P. promelas</i>	

CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.

B. Records

1. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) and time(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. Reporting Monitoring Results

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to:

DEQ - Piedmont Regional Office
4949-A Cox Road
Glen Allen, VA 23060
2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved, or specified by the Department.
3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under Title 40 of the Code of Federal Regulations Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Department.

4. Calculations for all limits which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

E. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized Discharges

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges.

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F 1; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F 1, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit. Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of Noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
 - a. Any unanticipated bypass; and
 - b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
 - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I. if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I.1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I.2.

NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the Department's Regional Office at (804) 527-5020 or fax (804) 527-5106. For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24 hour telephone service at 1-800-468-8892.

J. Notice of Planned Changes

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
 - a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
 - (1) After promulgation of standards of performance under Section 306 of Clean Water Act which are applicable to such source; or
 - (2) After proposal of standards of performance in accordance with Section 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;
 - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory Requirements

1. Applications. All permit applications shall be signed as follows:
 - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulation; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

- c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports, etc. All reports required by permits, and other information requested by the Board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Part II K 1;
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
 - c. The written authorization is submitted to the Department.
3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.
4. Certification. Any person signing a document under Parts II K 1 or 2 shall make the following certification:
 "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate licensed operator staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of Solids or Sludges

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limits to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and U 3.
2. Notice
 - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
 - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.
3. Prohibition of bypass.
 - a. Bypass is prohibited, and the Board may take enforcement action against a permittee for bypass, unless:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The permittee submitted notices as required under Part II U 2.
 - b. The Board may approve an anticipated bypass, after considering its adverse effects, if the Board determines that it will meet the three conditions listed above in Part II U 3 a.

V. Upset

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limits if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
 - b. The permitted facility was at the time being properly operated; and
 - c. The permittee submitted notice of the upset as required in Part II I 2.
 - d. The permittee complied with any remedial measures required under Part II S.
3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection time unreasonable during an emergency.

X. Permit Actions

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of Permits

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.
2. As an alternative to transfers under Part II Y 1, this permit may be automatically transferred to a new permittee if:
 - a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
 - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
 - c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2 b.

Z. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.